Amendments to the Drawings:

The attached sheet (s) of drawings, include changes to specifically Figs.1, 3 and 6 indicated to be "prior art". Contrary to the Examiner's suggestion, Fig. 4 is not prior art but in fact is an alternative embodiment of the invention as set forth in the description of the drawings, specification page 4, in respect to Figs 2 and 4.

REMARKS/ARGUMENTS

Upon entry of this Amendment this application will contain amended claims 2-8 and 13-17 inclusive . Reconsideration and allowance are requested.

Claims 1, 9, 10, 11 and 12 have been deleted.

Original claim 7 was indicated allowable if amended to include subjected matter from claims 1 and 2. Claim 7 was amended as suggested by the Examiner and hence should be patentable.

Claim 8 was amended to provide a golf marking flag combined with a pole similar to allowable amended claim 7. Hence claim 8 should like wise be allowable. Original claims 2-6 inclusive depend on amended claim 8 and likewise should be allowable.

New claim 13 claims a golf marking flag which combines many of the details of original claims 1 and 2 while more particularly setting forth the upper extension tab as a flexible bendable extension tab secured to the upper attachment side of the flag in conjunction with a linear sleeve integrally part of the attachment side of the flag for sleeve attachment directly to the pole without an intervening interconnector.

Claim 14 more particularly recites the flexible extension tab in claim 13, while new claim 15 recites a cap for the extension pin extending upwardly from the pole as originally set forth in original claim 2. Claims 14 and 15 should likewise, should be allowable.

New claim 16 is original claim 9 rewritten to set forth the universal flag shown in applicant's Fig.4 with external flag connectors secured to the sleeve on the attachment side of the flag interconnecting with an intervening connector shown in Fig. 6 and described on specification pages 6. The external connectors enable use of applicant's flag as a replacement flag on existing poles with old intervening connectors or alternatively utilizing the sleeve part of the flag slipped over the pole as set forth in allowed claim 7.

Claim 17 more particularly sets forth the external connectors of claim 16.

Applicant submits the amended claims clearly define over the prior art and particularly the Atkins reference.

The Examiner rejected claims 1, 2, 4, 5, 8-10 and 12 under 35 U.S.C.102 (b) as anticipated by Atkins U.S. 5,572,835, while claims 3, 6, and 11 were rejected under 35 U.S.C.103 as obvious over said Atkins patent.

Applicant submits that the references do not disclose nor suggest applicant's claimed golf flag set forth in the amended claims submitted herewith.

Applicant's invention pertains to a rotatable golf flag with a linear sleeve integral with the attachment side of the flag where the sleeve is adapted to slip freely over the pole for direct rotatable attachment of the flag to the pole. A flexible bendable extension tab 28 is secured to the top of the sleeve attachment side of the flag, whereby both the sleeve 26 and extension tab 28 permit rotation of the flag while rotatably attached to the pole. The flag is illustrated in applicant's Fig 2 showing a sleeve 26 integrally sewn in the flag 22 at seam 27, as described on the bottom of specification page 4. Flexible bendable extension tab 28 is secured to the upper portion of the flag 22 and is adapted to slip over vertical pole extension 14 to vertically support the flag on the pole while enabling 360 degrees rotation of the flag about the pole, as more particularly set forth on applicant's specification pages 4 and 5. A less preferred alternative embodiment of the flag 22 is illustrated in Fig. 4 where external connectors are secured to the sleeve 26 to enable connection of applicant's flag 22 to a preexisting external interconnector indicated in Fig. 6. Hence the alternative embodiment enables use of applicant's flag as a replacement flag on old poles with an old interconnector, and then subsequent use of flag 22 after the old interconnector is discarded by direct rotatable sleeve connection to the pole according to the preferred embodiment.

Atkins U.S. 5,572,835. The Atkins reference pertains primarily to a telescoping flag pole with an attached flag 11 securely interconnected to protruding metal hardware extensions from the flag pole assembly as shown in Figs. 4 and 12 and described in columns 7-8. Column 7 describes all assembly parts as hardware bearing parts. Nowhere does the reference state an exception to the hardware bearings described and shown in the drawings as anything other than metal parts. Rotatable upper engagement ring 92 is part of the pole assembly and comprises an outwardly extending kidney shaped metal disc 95 with a circular opening 103. Engaging clip 110 attached to opening 103 secures the flag 11 at an upper grommet 111. The rotatable ring 92 permits 360 degree rotation of the flag 1 in conjunction with a metal lower ring 120 likewise part of the pole assembly. Lower ring 120 has a grommet portion 124 containing a hole 140 connected to the engaging clip 142 as pointed in lines 29-25 in column 8. Hence, the reference upper ring 92 and lower disc 95 are both load bearing metal parts of the pole assembly. Regardless, the reference does not disclose nor suggest a flag containing an integral sleeve nor a flag sleeve rotatably attached directly to the pole. 10 nor an upper bendable flexible tab for rotatable connection to the pole10.

Applicant's response to Examiner's comments. In respect to the 102 b rejection, the Examiner suggests that Atkins discloses a linear sleeve 121 and an extension tab 92. In response, applicant points out that metal cylinder 121 is a lower hardware structure part of the flag pole assembly called an engaging ring 120 disposed concentrically about the flag pole tubes. Column 7 lines 65 et seq. indicates the lower engaging ring 120 interconnected to the lowermost part of the flag. Thus the metal engaging ring 92 is not part of the flag but instead part of the flagpole assembly described in the reference. The upper engaging ring 92 is a metal bearing part of a metal bearing ring 80, both being part of the pole assembly of the reference flag pole, as described in reference column 7, lines 35-45. Thus the engaging ring 92 is a load supporting bearing metal part of the flag pole assembly. The pole assembly is not any part of the reference flag. Nowhere in the reference is any part of the pole assembly said to be flexible or anything other than metal shown in the drawings. Column 4 line 54 indicates rigidity of the flag pole is necessary. Thus flagpole assembly10 cannot possibly be flexible in order to stand upright as described throughout the Atkins' reference. Furthermore, bearing parts by necessity are rigid regardless of the material. The issue is whether Atkins teaches a flexible bendable tab or a sleeve an integral part of the flag as claimed by applicant. The Examiners suggestion that all material is flexible is unsupported and contrary to the entire Atkins reference. Any assertion based on personal knowledge must be supported by an Examiner's Affidavit. None of the reference flagpole parts are pertinent to applicant's claimed flag construction nor suggest the integral the flexible structure of applicant's claimed flag with a flexible tab.

The Examiner refers to reference Fig. 4 with respect to showing tab 92 with an opening 103. In this regard, reference Fig 12, indicates an engaging metal ring 92 along with the flagpole assembly, described in column 7 lines 45-60, wherein lines 53-55 state other bolt connections can be used in the assembly. However, none of these pole assembly parts are part of the flag construction.

Applicant submits that the Atkins reference does not disclose nor suggest applicant's claimed flag and integral parts of his flag, and particularly does not disclose or suggest an upper flexible bendable extension tab or the integral sleeve sewn into the attachment side of applicant's claimed flag. Applicant's flag structure eliminates miscellaneous pole hardware assembly parts as proposed in the Atkins' reference.

Thus claims 2-8 and 13-15 should be clearly patentable over Atkins.

In respect to Applicant's claimed universal golf flag in claims 16 and 17, applicant's claimed flag contains external connectors on the attachment sleeve side to provide for interconnection with

old golf flag pole connectors, but can be utilized as direct sleeve rotatable connection to the pole after the intervening connector is discarded. The flexible bendable upper extension tab is used with either type of connection.

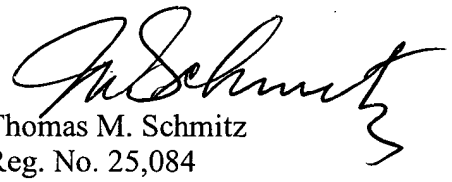
Thus claims 16 and 17 should be patentable over the Atkins' reference.

In regard to the other patents cited by the Examiner, only Nihra et al U.S. 5,979,009, and Huang U.S. 5,943,980 pertain to flags. Neither patent discloses applicant's flexible tab 18 or applicant's sleeve 26 for rotatably attaching applicant's golf marking flag 22 to the pole. In contrast to applicant's invention, Nihra teaches two metal retainer slips 22, 24 mounted on the pole for securing the reference flag to the pole, while Huang similarly teaches metal couplers 23, 24 for buttoning the reference flag to the pole. Thus neither patent discloses nor suggests applicant's claimed invention.

Prompt allowance of claims 2-8 and 13-17 is respectfully requested.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA



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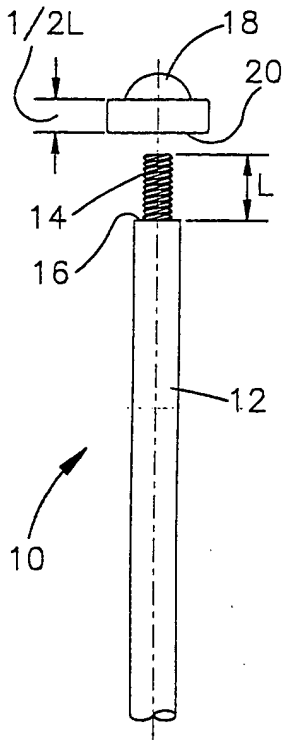

Fig.1

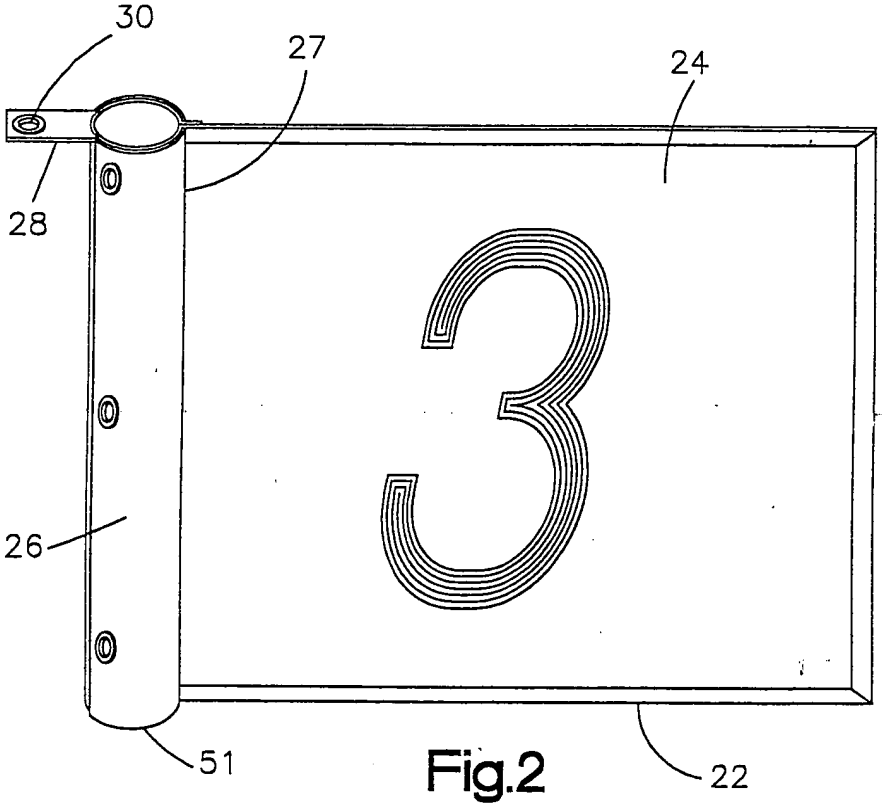

Fig.2

(prior art)
added

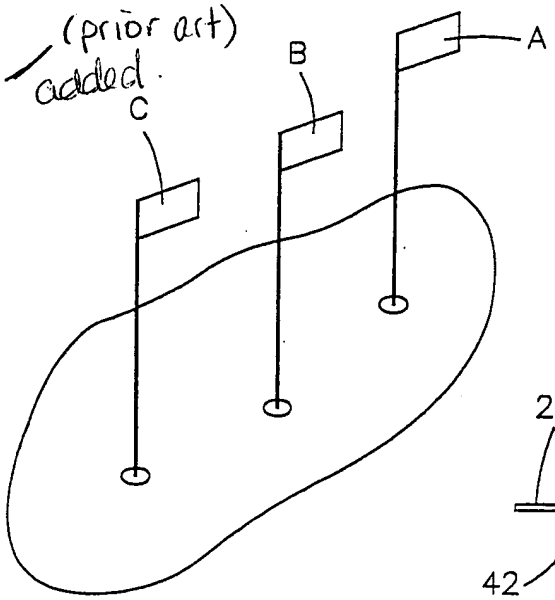

Fig.3
(prior art)
added

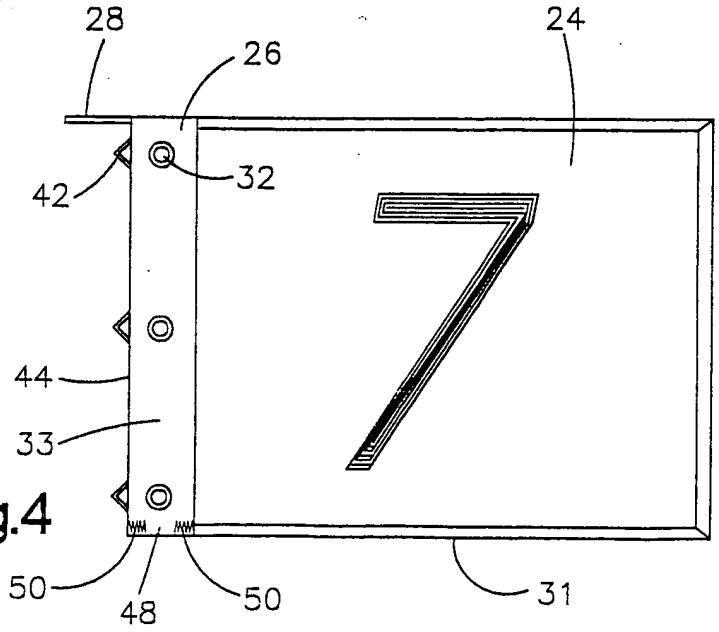

Fig.4

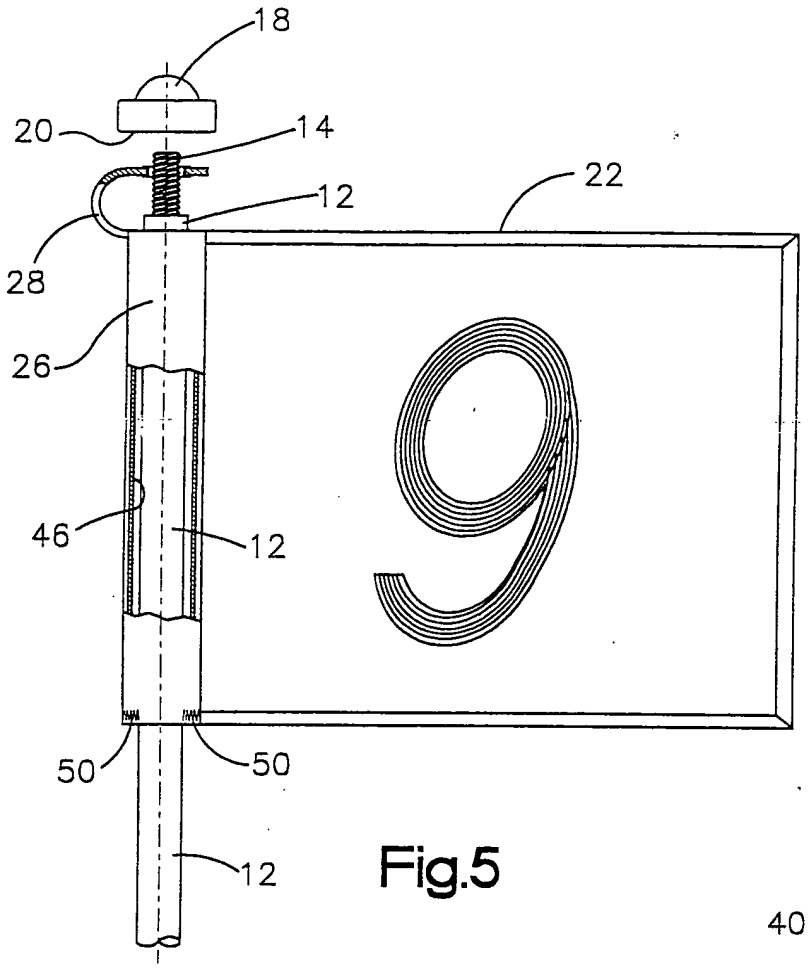

Fig.5

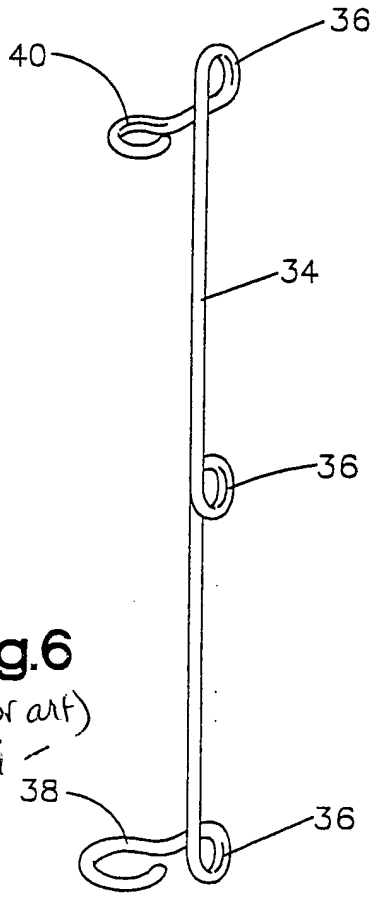

Fig.6
(prior art)
added -